# Case 1:21-bk-10757-MB Doc 251 Filed 08/19/21 Entered 08/19/21 15:05:38 Desc Main Document Page 1 of 10

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address  THEODORE B. STOLMAN (BAR NO. 52099)  CAROL CHOW (BAR NO. 169299)  FREEMAN, FREEMAN & SMILEY, LLP  1888 Century Park East, Suite 1500  Los Angeles, California 90067  Tel. (310) 255-6100 / (310) 255-6200  ted.stolman@ffslaw.com / carol.chow@ffslaw.com	FOR COURT USE ONLY		
<ul><li>☐ Individual appearing without attorney</li><li>☐ Attorney for: Debtors and Debtors in Possession</li></ul>			
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SAN FERNANDO VALLEY DIVISION			
In re: PS On Tap, LLC,	CASE NO.: 1:21-bk-10757-MB  Jointly administered with Case Nos. 1:21-bk-10778-MB; 1:21-bk-10759-MB; 1:21-bk-10760-MB; 1:21-bk-10761-MB; 1:21-bk-10779-MB; 1:21-bk-10762-MB; 1:21-bk-10763-MB; 1:21-bk-10781-MB; and 1:21-bk-10764-MB  CHAPTER: 11  NOTICE OF SALE OF ESTATE PROPERTY		
Debtor(s).			
Sale Date: September 9, 2021	Time: 10:00 a.m.		
Location: ZoomGov  Meeting URL: https://cacb.zoomgov.com/j/1617 Meeting ID: 161 750 2725 Password: 433332 Telephone: 1 (669) 254 5252 or 1 (646) 828 76			
Type of Sale: ☐ Public ☐ Private Last date to file objections: August 26, 2021			

#### Description of property to be sold:

The following three (3) California Liquor Licenses:

ABC LIQUOR LICENSE NO.	BUYER	PRICE
47-604236	GCM F&B LLC 9777 Wilshire Blvd., Suite 811 Beverly Hills, CA 90212	\$95,000.00
47-579813	LHIM Los Angeles, LLC 2029 Century Park East Los Angeles, CA 90067	\$95,000.00
47-413243	Margarita Factory Downey, LLC 5716 Corsa Ave., Suite 110 Westlake Village, CA 91362	\$95,000.00

#### Terms and conditions of sale:

The sale of the Liquor License will be on an "as is" and "where is" basis without any representations and/or warranties whatsoever.

Proposed sale price:	\$95,000.00

#### Overbid procedure (if any):

The following shall apply in regard to the sale of each of the three (3) Liquor Licenses:

- 1.Each party (including the Buyer) must be present telephonically at the hearing on the Motion or represented by an individual or individuals with the authority to participate in the overbid process.
- 2.Each party participating in the overbid process (except for the Buyer) must remit at or prior to the hearing on the Motion a deposit in the form of a cashier's check or money order made payment to "Grill Concepts, Inc." (the "Debtor") in the sum of \$6,000.00 (the "Deposit"). The Deposit shall not be refundable if such party becomes the successful bidder and is unable to timely complete the purchase of the Liquor License as set forth herein.
- 3. The bidding for the Liquor License shall begin at \$96,000 with overbids being made in the minimal increments of one thousand dollars (\$1,000.00).
- 4.A party shall not be precluded from continuing to make bids after initially passing its turn or turns to overbid.
- 5.Each party (including the Buyer) must pay the full amount of the successful bid to the Debtor within 10 days of the entry of a final Bankruptcy Court Order approving the sale of the Liquor License. In the event that the Buyer is not the successful bidder, the successful bidder shall then take the place of the Buyer under the same terms and conditions as set forth in the Offer to Purchase Alcoholic Beverage License, and shall waive all contingencies regarding the purchase of the Liquor License.
- 6.If the successful bidder cannot deliver the balance of the final sale price or consummate the sale transaction within the applicable time period, its Deposit shall be forfeited to the Debtor, and the Debtor shall be authorized to accept the offer made by the next highest bidder.



If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

September 9, 2021, at 10:00 a.m., via ZoomGov.

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

THEODORE B. STOLMAN ted.stolman@ffslaw.com
CAROL CHOW
carol.chow@ffslaw.com
FREEMAN, FREEMAN & SMILEY, LLP
1888 Century Park East, Suite 1500
Los Angeles, California 90067
Telephone: (310) 255-6100
Facsimile: (310) 255-6200

Date: August 19, 2021



#### PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: Freeman, Freeman & Smiley, LLP, 1888 Century Park East, Suite 1900, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) August 19, 2021 , I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Robert S Altagen on behalf of Interested Party Courtesy NEF robertaltagen@altagenlaw.com

J Scott Bovitz on behalf of Creditor Moss & Company, Inc. bovitz@bovitz-spitzer.com

Carol Chow on behalf of Debtor GCI-CC, Inc. carol.chow @ffslaw.com, easter.santamaria @ffslaw.com

Carol Chow on behalf of Debtor GCI-MP, Inc. carol.chow @ffslaw.com, easter.santamaria @ffslaw.com

Carol Chow on behalf of Debtor Grill Concepts - D.C., Inc. carol.chow@ffslaw.com, easter.santamaria@ffslaw.com

Carol Chow on behalf of Debtor Grill Concepts Management, Inc. carol.chow@ffslaw.com, easter.santamaria@ffslaw.com

Carol Chow on behalf of Debtor Grill Concepts Services, Inc. carol.chow@ffslaw.com, easter.santamaria@ffslaw.com

Carol Chow on behalf of Debtor Grill Concepts, Inc., a California corporation carol.chow@ffslaw.com, easter.santamaria@ffslaw.com

Carol Chow on behalf of Debtor Grill Concepts, Inc., a Nevada corporation carol.chow@ffslaw.com, easter.santamaria@ffslaw.com

Carol Chow on behalf of Debtor PS 303, LLC carol.chow@ffslaw.com, easter.santamaria@ffslaw.com

Carol Chow on behalf of Debtor PS On Tap, LLC carol.chow@ffslaw.com, easter.santamaria@ffslaw.com

Carol Chow on behalf of Debtor Shift Bar, LLC carol.chow@ffslaw.com, easter.santamaria@ffslaw.com

Russell Clementson on behalf of U.S. Trustee United States Trustee (SV) russell.clementson@usdoj.gov

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Sarah M Cox on behalf of Creditor The Shops at Summerlin North LP sarah@spectorcox.com, sarah@ecf.courtdrive.com;sshank@spectorcox.com

M Douglas Flahaut on behalf of Interested Party Courtesy NEF flahaut.douglas @arentfox.com

Moriah Douglas Flahaut (TR) douglas.flahaut@arentfox.com, C194@ecfcbis.com

Sevan Gorginian on behalf of Creditor Christine Rodriguez sevan @gorginianlaw.com, 2486 @notices.nextchapterbk.com

Courtney J Hull on behalf of Creditor Texas Workforce Commission bk-chull @oag.texas.gov, sherri.simpson@oag.texas.gov

Haig Kazandjian on behalf of Creditor Christine Rodriguez haig@hbklawyers.com

Haig Kazandjian on behalf of Interested Party Courtesy NEF haig@hbklawyers.com

Dare Law on behalf of U.S. Trustee United States Trustee (LA) dare.law @usdoj.gov

Jonathan C Sandler on behalf of Creditor PPF Off 1601 Wewatta Street LLC jsandler@bhfs.com, pherron@bhfs.com;sgrisham@bhfs.com

Michael St James on behalf of Interested Party Courtesy NEF ecf@stjames-law.com, stjames.michaelr101488@notify.bestcase.com

Adam B Stirrup on behalf of Creditor Karina Mott abs@bplaw-inc.com

United States Trustee (SV) ustpregion16.wh.ecf@usdoj.gov

Sharon Z. Weiss on behalf of Creditor Prestonwood Pond, LLC sharon.weiss@bclplaw.com, raul.morales@bclplaw.com,REC\_KM\_ECF\_SMO@bclplaw.com

Service information continued on attached page

#### 2. SERVED BY UNITED STATES MAIL:

On August 19, 2021, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page



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3. SERVED BY PER	SONAL DELIVERY, OVERNIGHT	MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method
following persons and service method), by f	d/or entities by personal delivery, o acsimile transmission and/or emai	. 5 and/or controlling LBR, on August 19, 2021, I served the vernight mail service, or (for those who consented in writing to such as follows. Listing the judge here constitutes a declaration that be completed no later than 24 hours after the document is filed.
COURTESY	COPY TO HON. MARTIN R. BAR	ASH (BY EMAIL)
		☐ Service information continued on attached page
I declare under penal	ty of perjury under the laws of the	United States that the foregoing is true and correct.
August 19, 2021	Easter. A. Santa Maria	Casta (1) ante Marin
Date	Printed Name	Signature ()



#### In re PS on Tap, LLC, Case No. 1:21-bk-10757-MB

### SERVICE LIST

Bank of America
Attn: Nicholas Marcus
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Ring Associates LLC
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Attn: Rory A. Packer Laurel Center Group 6300 Wilshire Boulevard, Suite 1800 Los Angeles, CA 90048 Email: rory@thearbagroup.com

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Spivak Restaurant Development LLC 860 North Norman Place Los Angeles, CA 90049 Email: bob@spivakrd.com

Culver Salar Family Investment LLC 201 Wilshire Blvd, Suite A 28 Santa Monica, CA 90401 Email: brafalian@yahoo.com

Attn: Daniel Rafalian

Attn: Jennifer Harris 3700 McKinney Ltd. PO Box 205532 Dallas, TX 75320 Email: jennifer@urbanpartners.com

Graton Economic Development Authority c/o James E. Cohen - Maier Pfeffer Kim Geary & Cohen, LLP 1970 Broadway, Suite 825 Oakland, CA 94612 Email: jcohen@jmandmplaw.com Graton Economic Development Authority c/o Michael St. James - St. James Law, P.C. 22 Battery Street, Suite 810 San Francisco, CA. 94111 Email: Michael@stjames-law.com

Prestonwood Pond, LLC Winstead PC, c/o Jason Enright 2728 N. Harwood Street, Suite 500 Dallas, TX 75201 Email: jenright@winstead.com

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Attn: Cary Nelms Sysco North Texas 800 Trinity Drive Lewisville, TX 75056

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Attn: Cary Nelms Sysco Los Angeles Inc. 20701 East Currier Road Walnut, CA 91789

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LAX

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m

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Tax Collector PO Box 54110

Los Angeles, CA 90054

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John R. Ames CTA **Dallas County Tax Office** 1201 Elm Street, Suite 2600 Dallas, TX 75270 Email: propertytax@dallascounty.org

City and County of Denver 201 W Colfax Ave, Dept 406 Denver, CO 80202 Email: assessor@denvergov.org **Fulton County Tax** Commissioner 235 Peachtree St NW, Suite 1400 Atlanta, GA 30303 Email: damika.pitts@fultoncountyga.g

**Texas Workforce Commission** c/o Office of the Attorney General – Bankruptcy & **Collections Division** P.O. Box 12548, MC-008 Austin, TX 78711-2548 Email: bankruptcytax@oag.texas.gov Iron Mountain Information Management, LLC One Federal Street, 7<sup>th</sup> Floor Boson, MA 02110 Email: joseph.corrigan@ironmountain.c om

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M. Douglas Flahaut Subchapter V Trustee Arent Fox LLP | Attorneys at Law **Gas Company Tower** 555 West Fifth Street, 48<sup>th</sup> Floor Los Angeles, CA 90013 Email: Douglas.Flahaut@arentfox.com

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### **ADDENDUM**

California Department of Alcoholic Beverage Control 3927 Lennane Drive, Suite 100 Sacramento, CA 95834

CA Department of Tax and Fee Administration PO Box 942879

Sacramento, CA 94279

County of Orange 1241 East Dyer Road, Suite 120 Santa Ana, CA 94705

Margarita Factory Downey, LLC 5716 Corsa Ave., Suite 110 Westlake Village, CA 91362 State of California Franchise Tax Board PO Box 942857

Sacramento, CA 94257

California Dept of Tax & Fee Administration 4901 Green Valley Circle Suite 200 Culver City, 90230

GCM F&B LLC 9777 Wilshire Blvd., Suite 811 Beverly Hills, CA 90212 CA Employment Development Department PO Box 826880, DICO, MIC 29 Sacramento, CA 94280

Los Angeles County Treasurer and Tax Collector PO Box 54110 Los Angeles, CA 90054

LHIM Los Angeles, LLC 2029 Century Park East Los Angeles, CA 90067